

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of ) RM-10870  
 )  
AMENDMENT OF AMATEUR SERVICE )  
RULES TO PROVIDE FOR A NEW ENTRY )  
LEVEL AMATEUR RADIO CLASS )  
 )

TO: The Chief, Wireless Telecommunications Bureau

**COMMENTS OF JOHN B. JOHNSTON**

THIS COMMENTER

1. These are the comments of John B. Johnston (“this commenter”), a Commission-licensed amateur operator of over fifty years, an Amateur Extra Class licensee for forty years, and the amateur station license grantee of W3BE. Additionally, this commenter is a volunteer examiner (“VE”), a volunteer license examination preparation instructor, a member of the National Conference Volunteer Examiner Coordinators’ (“VECs”) Question Pool Committee, a designated Elmer<sup>1</sup> for a local amateur radio club, and the author of numerous columns published in the amateur service print media answering readers’ questions about the Commission’s rules for the amateur service. As such, this commenter has great interest in the future well being of our amateur service and for maintaining harmony and goodwill within our amateur service community.

INTRODUCTION

2. The subject petition proposes drastic changes to our amateur service rules. Among these, the petition would have the Commission upgrade in operator license class -- without passing the required examinations -- some 473,513 operators,<sup>2</sup> none of whom have qualified for such an upgrading. This commenter, convinced that such a move would be detrimental to the future well being of our amateur service and for maintaining harmony and goodwill within our amateur service community, recommends this petition be dismissed.

PETITION’S PLAN COULD DISRUPT OUR VEC SYSTEM

3. A Commission proceeding proposing to implement the petition’s plan could drive a wedge within our amateur service community. It would pit the 473,513 who would benefit from an upgrade in operator class without examination against the 253,477 who have expended the effort to pass our examinations. It would put on the spot those holding our administrative and leadership posts; they would be forced into choosing one side or the other, with no hope for a

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<sup>1</sup> “Elmer” is a term for an operator who helps others resolve day-to-day technical and operating issues encountered in the amateur service community.

<sup>2</sup> Amateur Call Sign Statistics March 27, 2004. Includes current and expired-within-grace listings: 84,563 Advanced, 67, 532 Tech Plus, 282,500 Technician and 38,918 operators.

win-win outcome. It would be a very contentious proceeding that would evoke a large outpouring of comments that would require many work-years of Commission staff time simply to read and evaluate. With the possibility of a no-examination upgrade, few of our Novice, Technician, Tech Plus and Advanced Class licensees would choose to upgrade via our examinations. They would, instead, elect to await the outcome of the Commission's decision-making process. There could be several years of low activity for in VEC system. Our training courses could dwindle and self-training could suffer. To follow such a course of action would be detrimental to the future well being of our amateur service and for maintaining harmony and goodwill within our amateur service community.

#### PETITION IS BASED ON FAULTY PREMISE

4. The subject petition finds inadequacies in our current amateur operator license structure because it "... ***is not well suited to the needs of those persons wishing to obtain a license.***"<sup>3</sup> This standard, however, is inconsistent with our very definition of the amateur service.<sup>4</sup> The standard for determining whether our amateur service is "adequate" is whether it provides a reasonable opportunity for self-training, intercommunication and technical investigations to persons interested in radio technique solely with a personal aim and without pecuniary interest. This commenter believes fervently that our amateur service in the United States -- with some 726,990 licensees -- does this exceedingly well.

#### DO NOT COMPROMISE OPERATOR EXCELLENCE FOR GREATER NUMBERS

5. After conceding that it has no proof, the petition states it "... ***believes that our present system discourages many potential applicants, and thus unnecessarily limits the growth of Amateur radio in this country.***"<sup>5</sup> This commenter, however, believes any such limitation is healthy and makes our amateur service all that much more viable and capable of serving our American public well. It is the core reason that we in our amateur service community take great pride in our achievements. During the past half-Century, this commenter has seen the numbers of amateur operators in our United States increase over ten-fold. It is now, and has been, a vital part of our Nation's communications infrastructure and an asset to the citizens of our United States.

6. There is no reason to be concerned if -- as the petition contends -- our current structure is not well suited to everyone and anyone wishing to obtain an amateur operator license. That is as it should be. We should not be required to share our access to small parts of a valuable limited public resource with persons interested in radio technique for reasons other than with a personal aim, or with persons interested in making use of the radio spectrum with pecuniary intentions. We need unfettered access to our limited resource in order to pursue our hobby of self-training, intercommunication and technical investigations. For those with a different

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<sup>3</sup> Petition at ¶8.

<sup>4</sup> 47 C.F.R. §97.3(a)(4) of the Commission's Rules states that the amateur service is "A radiocommunication service for the purpose of self-training, intercommunication and technical investigations carried out by amateurs, that is, duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest."

<sup>5</sup> Petition at ¶11.

agenda, there is available to them a host of other communication services for their enjoyment as well as numerous other hobbies and commercial ventures for them to pursue.

#### PETITION'S RECOMMENDATIONS ARE UNRELATED TO ITS GOAL

7. The petition recommends that the Commission dispense with our upgrading examination requirements for nearly one-half million of our existing operator licensees.<sup>6</sup> Amazingly, the Petition gives no rationale as to how this massive giveaway would in any way contribute to its stated goal to “... ***make the Amateur Radio Service accessible to as many citizens as possible.***”<sup>7</sup> Everyone that would be affected by an implementation of the petition’s recommendation -- positively or negatively -- is already a licensed amateur operator. In effect, the petition would have the Commission upgrade – without examination – two unqualified operators for every one of our qualified operators. Any such blunder would be detrimental to the future well being of our amateur service and for maintaining harmony and goodwill within our amateur service community.

#### DO NOT TINKER WITH OUR 20<sup>TH</sup> CENTURY STRUCTURE

8. The petition sees “... ***a need to reestablish the concept of having an entry level license that allows access to Amateur Radio in a meaningful way, with enough operating privileges so that the new licensee can experience a reasonable cross section of all that Amateur Radio has to offer, while at the same time providing limits and safeguards so that new operators are unlikely to be a danger to themselves, their families, or their neighbors.***”<sup>8</sup> This commenter agrees, that with the demise of a telegraphy skill requirement internationally,<sup>9</sup> it is timely to consider the issue of a structure appropriate for the 21<sup>st</sup> Century. The petition approaches this task by tinkering with our existing structure. That structure, however, evolved during the 20<sup>th</sup> Century when telegraphy was the major emphasis. The petition’s approach is comparable to trying to construct a futuristic hypersonic aero vehicle by rearranging vintage components scavenged from a much-modified 1950 era airplane. The results from either endeavor are predictable: It won’t fly as intended. It would be detrimental to the future well being of our amateur service and for maintaining harmony and goodwill within our amateur service community.

#### PROPOSED NAME FOR NEW OPERATOR CLASS MISLEADING

9. The Petition suggests the name “Communicator Class” for its new first step, stating, “***The reason for the name change is to differentiate the new permit from its ancestors.***”<sup>10</sup> That it would do, most assuredly; “Communicator” brings to mind something more akin to a “cellular phone user” or a “family radio operator” than it does a “technically inclined person.” Moreover, the word itself implies that the first step of its proposed structure is an end in itself, not an interim step on our upgrade ladder. To implement this notion would be detrimental to the future well being of our amateur service and for maintaining harmony and goodwill within our amateur service community.

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<sup>6</sup> Petition at ¶¶ 24, 25 and 26.

<sup>7</sup> Petition at ¶ 31.

<sup>8</sup> Petition at ¶17.

<sup>9</sup> Petition at ¶1.

<sup>10</sup> Petition at ¶19.

SUMMARY

10. In view of its extensive shortcomings, therefore, the Commission is urged to dismiss petition RM-10870 and, instead consider this commenter's alternative plan for an operator license class structure suited for the 21<sup>st</sup> Century. It is outlined and discussed in this commenter's filing in RM-10867.

Respectfully submitted,

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